

**CITY OF PHILADELPHIA  
BOARD OF PENSIONS AND RETIREMENT  
Meeting of April 24, 2014**

**MINUTES**

On April 24, 2014, Paula Weiss called the Regular Meeting of the Board of Pensions and Retirement to order at 9:03 a.m. in the Board's Conference Room.

Present: Paula Weiss  
Brian Albert  
Patricia Fitzgerald  
Carol Stukes-Baylor  
Ronald Stagliano  
Andrew Thomas  
Veronica Pankey  
James Leonard

Also Attending: Francis Bielli - Board of Pensions  
Mark Murphy - Board of Pensions  
Shamika Taliaferro – Board of Pensions  
Sumit Handa – Investment Unit  
Brad Woolworth - Investment Unit  
Christopher DiFusco – Investment Unit  
Ellen Berkowitz – Law Department  
Katharine Janoski – Law Department  
Mark Johnson - Cliffwater  
Steve Nesbitt - Cliffwater  
Pam McCue – Financial Investment News

Ms. Weiss stated that the first order of business was the consideration of the Minutes of March 27, 2014.

Brian Albert made a motion to approve the Minutes of March 27, 2014. Ronald Stagliano seconded the motion.

**The motion to approve the Minutes of March 27, 2014 carried unanimously 7-0.**

**CONSIDERATION OF (120) PENSION APPLICATIONS AND (89) WITHDRAWAL APPLICATIONS**

Ronald Stagliano made a motion to approve. Brian Albert seconded the motion.

**The motion to approve carried unanimously 7-0.**

## **APPLICATION FOR SERVICE-CONNECTED DISABILITY BENEFITS**

### **Case of Thomasina Gonzalez, Application for Service-Connected Disability Benefits – Plan “B”**

This is an application by Thomasina Gonzalez, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “B”.

According to Ms. Gonzalez, she sustained the injury when she was trying to handcuff a young male. She further stated that her injuries are to her spine, arms, elbows and both shoulders. The date of her injury was December 3, 2011.

Ronald Stagliano made a motion to approve. Veronica Pankey seconded the motion.

**The motion to approve carried unanimously 7-0.**

### **Case of Charles Ebner, Application for Service-Connected Disability Benefits – Plan “D”**

This is an application by Charles Ebner, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “D”.

According to Mr. Ebner, he sustained the injury when he was teaching new recruits. He further stated that the injury is to his right thumb and right wrist. The date of his injury was February 20, 2008.

Ronald Stagliano made a motion to approve. Andrew Thomas seconded the motion.

**The motion to approve carried unanimously 7-0.**

### **Case of Arthur Brown, Application for Service-Connected Disability Benefits – Plan “J”**

This is an application by Arthur Brown, former Equipment Operator, Streets Department, for Service-Connected Disability Benefits in Plan “J”.

According to Mr. Brown, he sustained the injury when he was dumping some cables and also when he stepped off the truck and fell four feet. He further stated that his disability is to his right foot, lower back and head. The date of his injury was May 2, 2012.

Ronald Stagliano made a motion to approve. Carol Stukes-Baylor seconded the motion.

**The motion to approve carried unanimously 7-0.**

**Case of Kenneth Gladney, Application for Service-Connected Disability Benefits – Plan “Y”**

This is an application by Kenneth Gladney, former Labor Crew Chief, Health Department, for Service-Connected Disability Benefits in Plan “Y”.

According to Mr. Gladney, he sustained the injury while at a training session when he tripped and fell. He further stated that his injury is to his right ankle and left knee. The date of his injury was July 12, 2011.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

**The motion to deny carried 3-0-4.**

**Case of Cheryl Jackson, Application for Service-Connected Disability Benefits – Plan “J”**

This is an application by Cheryl Jackson, former Laborer, Recreation Department, for Service-Connected Disability Benefits in Plan “J”.

According to Ms. Jackson, she sustained the injury while working when she was filling in a hole. She further stated that her injury is to her right shoulder. The date of her injury was May 9, 2012.

Ronald Stagliano made a motion to approve. Veronica Pankey seconded the motion.

**The motion to approve carried unanimously 7-0.**

**Case of Rudolph Kramny, Application for Service-Connected Disability Benefits – Plan “Y”**

This is an application by Rudolph Kramny, former Social Work Services Manager, Department of Human Services, for Service-Connected Disability Benefits in Plan “Y”.

According to Mr. Kramny, he sustained the injury while placing a child and the child kicked his back. He further stated that his injury is to his neck, lower back and both hands. The date of his injury was September 14, 2011.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

**The motion to deny carried 3-0-4.**

## **APPLICATION FOR SURVIVORSHIP BENEFITS**

### **Case of Paul T. Murphy, Jr., Application for Survivorship Benefits - Plan "J"**

This is an application by Muriel Murphy, widow of Paul T. Murphy, Jr., for Survivorship benefits under Survivorship Option #4 in Plan J.

Paul T. Murphy, Jr., a former Construction Projects Technician with the Water Department, retired effective May 3, 2005. He had 19 years of City service.

Paul T. Murphy, Jr. and Muriel Murphy were married on April 16, 2005.

Mr. Murphy died on January 24, 2014.

At the time he made application for retirement benefits, he selected Survivorship Option #4, naming wife Muriel Murphy as his survivor.

At the time she contacted the Board of Pensions regarding application for survivorship benefits, Muriel Murphy was advised by staff in a letter dated March 7, 2014 that since her marriage to Mr. Murphy did not meet the two (2) year requirement, that she was ineligible for survivorship benefits.

In a letter dated March 20, 2014, Mrs. Murphy appealed the Board's decision to deny her application for benefits. She states that, "I know the character of my husband. He would never have chosen that option 4 if he had known that I would not be able to receive his pension benefit. Perhaps if that clause had been stated under Option 4 about being married 2 years prior to retirement, or even if he had been asked what date he was married, he would have been better informed. We had only been married about 3 weeks prior."

Mr. Murphy's divorce from Dian D. Murray became final on July 21, 1980. His divorce from Victoria Trice Murphy became final on May 9, 1983. Muriel Murphy's divorce from Raymond Gaskin became final December 9, 1986.

If approved for survivorship benefits, Muriel Murphy would receive \$919.03 monthly for the remainder of her lifetime.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

**The motion to deny carried unanimously 7-0.**

**Case of Nancy Gonzalez, Application to Change Survivorship Option – Plan “J”**

This is an application by Nancy Gonzalez to change her Survivorship Option from #3 to #1.

Nancy Gonzalez retired under Optional Early effective July 24, 2012. She selected Survivorship Option #3 and named her adult sons, Mark and Michael.

In a letter dated February 19, 2014, Ms. Gonzalez requested to change her survivorship option from #3 to #1 due to her current financial hardship. She further stated that she did not clearly understand the options at her appointment on August 21, 2012. Pension Program Administrator Shamika Taliaferro administratively denied her request in a letter dated March 5, 2014. Ms. Gonzalez submitted a written appeal dated March 14, 2014.

If approved, Ms. Gonzalez' monthly pension would increase from \$2,542.99 to \$2,757.82.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

**The motion to deny carried unanimously 7-0.**

**REQUEST TO WAIVE ACCRUED INTEREST DUE ON PURCHASE OF PENSION CREDIT FOR PRIOR MILITARY SERVICE**

**Case of Anthony Berner, Request to Waive Accrued Interest Due on Purchase of Pension Credit for Prior Military Service**

Anthony Berner was hired by the First Judicial District of PA effective 8/2/10. A hire letter outlining his purchase rights was forwarded to his address of record on 8/19/10. This letter was not returned by the postal service. A change of address request was received by this office on 10/11/11. His job class changed to Firefighter effective 9/14/12. His application to purchase pension credit for his prior military service was received on 8/7/13. A bill was forwarded to his address of record on 2/19/14. We received his request to waive the accrued interest portion of that bill on 3/5/14 because he does not recall having received his hire letter dated 8/9/10. His request was administratively denied on 3/7/14. On 3/25/14, we received Mr. Berner's timely appeal of the administrative denial.

- Mr. Berner's request to complete the above purchase via 130 payroll installments was received and processed on 3/18/14.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

**The motion to deny carried 6-0-1.**

## **OLD BUSINESS**

### **Case of Ramona Turner, Deceased, Application for Survivorship Benefits – Dependent Parent – Plan “J”**

This case was **tabled** at the February 27, 2014 Board meeting and the March 27, 2014 Board meeting at the request of Trustee Carol Stukes-Baylor for additional information.

On March 3, 2014, a letter was sent to Ms. Turner and her niece Sandra Hightower requesting additional information. Her niece contacted the office on March 12, 2014 and requested that the case be **tabled** again at the March Board meeting in order to provide her more time. However, to date, nothing has been submitted.

The history of the case is as follows:

This is an application by Elizabeth Turner, as dependent parent of Ramona Turner, for survivorship benefits in Plan “J”.

Ramona Turner, former Health Care Aid for the Department of Human Services, died on September 5, 2009. Submitted is a copy of her death certificate.

Ramona Turner retired effective March 1, 2004. At the time of her retirement, Ms. Turner elected Survivorship Option #4. She named Elizabeth Turner as contingent beneficiary of her life insurance.

In a letter received October 24, 2013 Mrs. Elizabeth Turner states that her daughter Ramona always helped financially. Such things included her gas bill, home taxes and insurance. Ramona would purchase food, have snow removed and help with her medical bills. She stated she could not remember everything her daughter helped her with.

If approved, Mrs. Turner will receive a lifetime, monthly benefit of \$495.36.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

**The motion to deny carried 5-1-1.**

### **Case of Keith Gidelson, Application for Service-Connected Disability Benefits – Plan “B”**

This is an application by Keith Gidelson, former Police Officer, Police Department, for Service-Connected Disability Benefits in Plan “B”. His case was denied at the Board Meeting on January 26, 2012. This is a **SAMMONS** case.

A Hearing Panel was held on September 4, 2013.

The Hearing Panel votes are as follows:

- |                      |   |
|----------------------|---|
| Mr. James Leonard:   | Recommend denial.<br>Medical evidence fails to meet “due solely” standard for service-connected disability benefit. |
| Ms. Celia O’Leary:   | Recommend denial.<br>Medical testimony was not conclusive that the disability was due solely to any work injury.    |
| Ms. Veronica Pankey: | Recommend approval.   |

The history of the case is as follows:

According to Mr. Gidelson, he sustained the injury when his patrol car was hit by another driver while he was responding to a police call regarding another incident.

The nature of Mr. Gidelson’s disability is limited mobility due to migraines with nausea, memory loss, motion sickness and other issues. His date of injury is June 13, 2006.

Brian Albert made a motion to deny. Patricia Fitzgerald seconded the motion.

**The motion to deny 4-1-2.**

## **NEW BUSINESS**

**Executive Director’s Report** – Mr. Bielli updated the Board on the following subjects.

- Judi Cassel is scheduled to give a presentation on the One Philly Project at the June 3, 2014 Board meeting.
- The Financial Disclosure forms are due May 1, 2014. Dave Fegan will be glad to help if assistance is needed.
- The Regulations that were approved with the exception of Regulation 6 (DROP) became effective April 21, 2014, following the 30 day posting period. They will be posted on the Board of Pensions website as official regulations and circulated to Board trustees.

- Update on One Philly Project – Mr. Murphy stated that he is going through the Code and getting those sections that will be programmed into the new system. He will discuss this summary with staff and the Law Department to ensure that all information is accurate.

Mr. Bielli explained that in order for a system to calculate everything that's in the Code the Code has to be programmed into the new system and put in a language that the programmer will understand to be able to write the computer code. This will be done in conjunction with the Law Department to ensure that all prior legal opinions are included and that the interpretation is correct. Mr. Murphy will be giving monthly updates on the progress of the project.

### **Business and Education Travel Authorization Request**

Carol Stukes-Baylor submitted a request to attend the 9<sup>th</sup> Annual Economic & Financial Development Conference, "New Approaches to Underfunded Pension Funds" in Miami, Florida July 8-11, 2014.

Ronald Stagliano made a motion to approve. Veronica Pankey seconded the motion.

**The motion to approve Ms. Stukes-Baylor to attend the 9<sup>th</sup> Annual Economic & Financial Development Conference in Miami, Florida from July 8-11, 2014 carried 6-0-1.**

Litigation Summary – Ms. Berkowitz stated there are a few cases in Commonwealth pending and no decisions.

Brian Albert made a motion to adjourn. Ronald Stagliano seconded the motion. The meeting adjourned at 9:13 a.m.